

SALT LAKE CITY, UTAH.

WEDNESDAY, December 16, 1891.

Advertisements in this column are charged per line.

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

Furnishings removed from one place to another, and

THE CITY COUNCIL

Officer Jensen is Suspended for Drunkenness.

THE STATUTES OF LIMITATIONS

The Liquor License of the Franklin Avenue Theatre is Revoked Notwithstanding a Hard Struggle Against It.

Only two members of the city council were absent when Recorder Jack called the roll last evening, those present being Councilmen James Young, Parsons, Lyman, Anderson, Tuddenham, Hyde, Foland, Pendleton, Heath, Karriek, Spafford and Hardy.

Mayor Scott presided, and Engineer Doremus, City Attorney Hall and Assistant City Attorney Elchorn were also present.

PETITIONS.

J. R. Morgan asked that retaining walls be built along the east side of his property at the corner of First North and State streets, Committee on streets.

Geo. Stringfellow and others asked permission to tap the water mains on Sixth South street. Committee on water works.

Mrs. Nellie Seifert sent in a bill for \$52 for taking care of Mrs. Landers at the instance of Dr. Hall and Marshall Young. Committee on claims.

A. J. P. Thomsen asked that his former communication asking for damages be given attention at once. Committee on claims.

A. H. Ewing and others asked permission to extend their wires for the Salt Lake Messenger Call Boy system along certain streets. Committee on improvements.

T. W. Jennings asked that the special tax against him for the extension of water mains be cancelled. Committee on water works.

M. H. Williams asked the council to cancel the water assessment of \$25 on account of an error. Committee on water works.

THE STREET CAR COMPANY ACCEPTS.

The Salt Lake City Railway company sent in a communication accepting the franchise granted it on November 20.

MORE PETITIONS.

C. A. North asked that he be given the contract to fill the vacant canal at Mill creek. Committee on irrigation.

G. A. Love and others asked that First South street, from Second to Fourth East, be graded. Committee on streets.

Mrs. W. P. Rafferty asked for a rebate on her restaurant license. Committee on licenses.

THE RAPID TRANSIT WANT A SETTLEMENT.

The Rapid Transit company represented that under the franchise granted it, there was constant liability of misunderstanding with the city as to the proper amount to be paid by the road to the city. It was therefore asked that the matter be referred to a proper committee for definite settlement.

STILL MORE PRAYERS.

Lieutenant Adams and others asked that J. A. Reed be appointed special policeman at the Salvation Army hall. Committee on police.

C. A. North asked that a bridge be constructed over the Jordan canal near his property. Committee on canal.

O. Grosvell and others asked that Eighth West street, from First to Tenth South, be paved and made passable. Committee on streets.

Laura C. Petts asked that her special tax for water main extension be cancelled because of a mistake in assessment. Committee on water works.

A FRANCHISE TO SALT LAKE.

The Salt Lake Railway company asked for a franchise for a broad gauge railway from Temple block west to Salt Lake Beach. Committee on streets.

FURTHER REQUESTS.

The Deseret National bank asked to be reimbursed in the sum of \$200 for paving and curbing the corner in front of the bank building.

Joseph Conkle asked to be reimbursed for land belonging to him which was used in opening Ninth South street. The value of the land was put at \$2,000. Committee on claims.

WANTS THE WORK OR HIS CASE.

Walter D. McBride represented that he recently contributed \$100 toward a fund raised by the property owners on the north beach to be paid to the city for the extension of the water mains to the north beach. Understanding that the city had declined to order the extension, he asked that the money be refunded to him. Committee on water works.

FRANKS' PATROL.

W. J. Eastman, J. P. Ridd, E. Bruscoe, Alfred Trueblood, Geo. Jensen, A. C. Rainey and E. W. Whittemore were appointed as members of E. A. Franks' patrol system.

NEWPORT DIVISION.

The city engineer reported that duplicate plans of Newport subdivision had been filed with him and he recommended that they be approved. Adopted.

ESTIMATES.

The board of public works submitted the following estimates of amounts due for work:

Pacific Paving Co. \$2,100.00
Wm. Harkins 1,500.00
Salt Lake Foundry & Machine Co. 436.00

GET THE RAISE.

Ellsworth Daggett declined to accept the \$400 appropriated by the Council to pay for 17 feet by 10 rods of his ground occupied by the city, but offered to accept \$500. The appropriation was increased to \$500.

TO EXTEND THE WATER MAINS.

Assessor Clute recommended that the water main be extended 165 feet on Third South street. Committee on water works.

\$100 FOR RIGHT OF WAY.

The city attorney recommended that Wm. Fuller be paid \$100 for right of way on conduit. Adopted.

THE COURTS INVOKED.

The following report from City Attorney Hall was read:

SALT LAKE CITY, Utah, Dec. 15, 1891.
Honorable Mayor and City Council, Salt Lake City, Utah:

GENTLEMEN:—Where a city is interested in what may be called its private capacity as the owner of property, it is generally conceded that the status of limitations will run against it to the same extent as against a private citizen. But as to matters in which the public are interested, and in which the city as a governmental agency or in behalf of the public, the law is not so well settled.

By comparison, I find that a majority in number of the American courts of last resort hold that the statute of limitations is applicable to individuals, and that the right to a state may, therefore, be lost by adverse possession. However, it may be said that the minority of the courts holding adversely to this rule is nearly

equal in numbers to the majority, and with Mr. Dillon on municipal corporations, and Mr. Elliott on streets, favoring the minority in support of the doctrine that the status of the public in highways and streets are not barred or lost by the failure of the city to sue.

The supreme court of Utah has not adjudicated or passed upon the question. Therefore, as the proposition is involved in such a contest of decision, and has never been acted upon by our supreme court, permit me to suggest that it be prudent to have the present question come to a street settled by an action in our own courts. Very respectfully, V. C. HALL, City Attorney.

The report was adopted.

THE TEST.

The committee on streets, to whom was referred the petition of George Read and others asking that fences on J street be placed on the block line, recommended that the suggestion embodied in the preceding report be adopted, and that the marshal be instructed to notify the parties to move back the fences, and that upon the failure to do so the matter be taken at once to the court. Adopted.

THE COMMITTEE ON STREETS.

made the following recommendations; that retaining walls be constructed in front of the residences of L. E. Hall, Mr. Brooks and Mr. Ellerbeck; that telephone and other poles in the paving district on State street be placed on either the center of the street or inside the line of the curb; that the petition of S. H. Raleigh asking that a gully on Kane street be filled up be granted; that Sixth West street, from Fifth to Seventh North street be graded by the Rio Grande Western; that the petition of Mrs. A. M. Green to lay a pipe from a spring near the Warm Springs, be not granted. Adopted.

SPRINKLING BILL.

The committee on sprinkling recommended that the bill of Mount & Griffin for \$3,021.42 be allowed. Adopted.

REBATE GRANTED.

The committee on license recommended that the petition of James Williams for a rebate on his liquor license be granted. Adopted.

A LIQUOR LICENSE.

The committee on license recommended that the petition of Greenwald & Livingston for a liquor license be granted. Adopted.

A PEDDLER'S LICENSE.

The same committee recommended that Joseph Smith be granted a peddler license free. Adopted.

THE HOOS ARE RESPONSIBLE.

The committee on irrigation reported that the nuisance complained of by Mr. Goss was caused by the condition of his own property. He had therefore been suspended. In connection with this, Mayor Scott stated that he had preferred to give the officer a trial next week, as he had declined to hand in his resignation.

OFFICER JENSEN WILL BE TRIED.

Sergeant Donovan reported that Officer Jensen of his squad, had been found drunk while on duty. He had therefore been suspended. In connection with this, Mayor Scott stated that he had preferred to give the officer a trial next week, as he had declined to hand in his resignation.

A BLACK EYE TO THE FRANKLIN AVENUE THEATRE.

The following communication from the marshal was read:

Mayor Scott:

Dear Sir:—As per your request I append statement in regard to Franklin Avenue theatre.

For some time complaints have been made to the office of the marshal of money at the theatre. These complaints for the most part have been made by drunken men and in several instances by the same persons. The marshal was unable to identify the parties to whom the money was given. The complaint usually arose from failure of water to return to the sewer. I have information also that in some instances men are employed to purchase drinks when they have no desire to drink. The money is given to the waiter by one of the employees, ordered to collect for same is a failure, owing to the lack of funds on the part of the waiter. In regard to the sale of beer, can only say that up to a recent date the bar has been inaccessible to those in the park. The waiter gallery the orders could only be given to the waiter. Recently the waiter have cut through the partition into the parkette and I am informed that drinks are now being served in that part of the building.

There have been few disturbances of any kind brought to our notice and the place has been well conducted in that regard.

Yours truly,
J. M. YOUNG, City Marshal.

Mayor Scott:—A number of complaints in regard to the theatre have been made and I think the license should be revoked and Mr. Hyde moved that the license be revoked.

Mr. Karriek thought it would be well to refer the matter to the city attorney, and offered an amendment to that effect.

Mr. James wanted to see the license revoked at once. There was no doubt but that the ordinance was being violated, and the matter had become so notorious that the district court had called the attention of the grand jury to the matter. He did not believe in dealing with the matter and hoped the license would be revoked at once.

Mr. Karriek's amendment was lost, and the motion to revoke the license was carried.

LIQUOR LICENSES GRANTED.

Liquor licenses were granted to Z. C. M. L. Batley & Jennings, M. Fitzgerald, Philip Margolis, Louis Hobson and L. W. Dittman.

RETAINING WALLS.

On motion of Mr. Spafford the matter of constructing retaining walls on State street, was referred to the street committee, with the engineer associated.

WILL NOT RECONSIDER.

The council then took a second thought on its action revoking the liquor license of the Franklin Avenue theatre, and a motion to reconsider have it referred to the city attorney was made. The motion was lost by a vote of six to seven.

APPROPRIATIONS.

The following appropriations were made:

W. P. Rafferty \$ 6.29
Pacific Paving Co. 2,100.00
Wm. Harkins 1,500.00
S. L. Foundry & Mfg. Co. 436.00
Wm. Fuller 100.00
Mount & Griffin 185.00
James Williams 273.00

Total \$ 8,114.15
Adopted for one week.

DRUGS AT COST.

Messrs. Nelson & Lawson have bought the immense stock of drugs, chemicals, patent medicines, toilet articles and household goods in the Palace drug store and formerly owned by H. B. Younger & Son. The entire stock must be closed out within a few days and will be sold at a low cost. The prescription department is in the exclusive charge of a thorough chemist and registered pharmacist of fifteen years' experience. Prescriptions will be accurately compounded and sold at the actual cost of the drug.

NELSON & LAWSON,
No. 357 South Main street.

AMUSEMENTS.

"THE DEVIL'S AUCTION."

A very light audience assembled at the theatre last evening to witness the second performance of "The Devil's Auction." The show has not caught on here, and the engagement will be the first losing one the house has known for a long time previous. The show goes for the last time to-night.

WONDERLAND.

To-morrow the new system will be inaugurated at Wonderland introducing the popular and meritorious stock company entitled "Our popular stock company," in the humorous and farcical comedy "The Corner Grocery." The company comes direct from Denver, having a successful engagement of ten weeks. A leading and prominent feature of the house, employing only first class and recognized popular and eminent talent, of course the other departments will be as carefully looked after as formerly and every interesting and remarkable feature of the show will be available. The show will always be free from objectionable features.

Sporting Splinters.

A big crowd took in the billiard tournament at the Morgan last night. Josh Arthur and Tony Kraker were the contestants and the game was the finest of the series. Kraker won on a score of 7 to 6. He took the record of 100 runs by scoring eight billiards at one run, an exceptionally good showing. Arthur and Eager play to to-morrow.

Major Levy's tug-of-war men had another exciting practice last night. The teams are all in the shape now, and the probabilities are that the forthcoming tug-of-war tournament will be the most successful yet given on the coast.

A large number of Salt Lake sports will go up to Ogden on Friday to witness the contest for points between Jim Williams and Captain Laidlaw. The contest will be an interesting one, as both men are scientific fighters, and are in excellent condition. Later on they will meet in a popular and eminent talent, of course the other departments will be as carefully looked after as formerly and every interesting and remarkable feature of the show will be available. The show will always be free from objectionable features.

PERSONAL MENTION.

THOMAS KANE, of the law firm of Reilly & Kane, has returned from Nebraska, where he had gone on business of a legal nature.

GEORGE T. O'NEIL, manager of the Co-op. Warehouse and Machine company, goes east this afternoon.

J. F. GRANT and George A. Snow are expected to leave for the east to-day.

ONE of Woodman's men, Mr. Joseph Levitt, of Green River, is being entertained by his many friends in this city. Joseph has been a resident of this city for some time.

W. S. SYDNER, Park City; W. C. Bryan and wife, Marshall, Ill.; J. H. Fitzgerald, of the Rio Grande Western, at the Hotel.

A. G. CAMPBELL, Milford; G. S. Sampson, Omaha; E. C. Williamson, Park City, are at the Hotel.

F. W. BEANE, Blackfoot, Ida.; P. W. Corbett, Omaha, and C. S. Melton and G. C. Carpenter with their wives, are at the Knutsford.

L. W. WILSON, Kansas; T. R. Green, Woodmont, Conn.; J. D. Cross, Denver, are at the Hotel.

FRANCIS SMITH, Muskegon, Mich., and W. A. Vancouver, St. Louis, are at the Continental.

A. L. CONE, of New York, is at the Templeton.

HOTEL TEMPLETON

Opposite temple and tabernacle. The only strictly first-class hotel in Salt Lake city. Dining hall on sixth floor, giving a splendid view of the city. Cuisine and service unassessable.